

EYOU CHISKOTAMACHAOUN

COMMISSION SCOLAIRE CRIE

CREE SCHOOL BOARD

BY-LAW NO. 8

COVID-19 DELEGATION OF POWERS BY-LAW

Approved CSB Council of Commissioners Resolution No. CC 2020-048.

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EYYOU CHISKOTAMACHAOUN
COMMISSION SCOLAIRE CRIE - CREE SCHOOL BOARD

BY-LAW NO. 8 – COVID-19 DELEGATION OF POWERS BY-LAW

Being the COVID-19 Delegation of Powers By-law of the CREE SCHOOL BOARD.

WHEREAS, by way of Order in Council No 177-2020 dated 13 March 2020, the Government of Quebec declared a public health emergency in all the territory of Quebec and took certain measures to protect the population;

WHEREAS Order in Council No 177-2020 has been extended and has been supplemented by certain orders of the Minister of Health and Social Services (collectively, the “Government Orders”);

WHEREAS the Government Orders have decreed certain measures in order to protect the health of the population, including the following:

- Suspension by educational establishments of their educational and teaching services;
- Suspension by childcare centres, daycare centres and home childcare services as well as daycare services in schools of their activities;
- Restrictions upon meetings and assemblies of persons;
- Restrictions upon travel within and between certain administrative regions, including Region 18, Cree Lands of James Bay;

WHEREAS the COVID-19 public health emergency and the measures decreed by the Government Orders may make it impossible or difficult to attain quorum requirements for meetings of the Council of Commissioners;

WHEREAS the Board considers it appropriate and prudent to be proactive and to prepare for this eventuality and other possible events linked to COVID-19;

WHEREAS it is appropriate to delegate, subject to the terms and conditions herein, certain powers of the Council of Commissioners to the Executive Committee and to the Director General in order to ensure the continued operations of the Cree School Board during the public health emergency;

BE IT ENACTED as follows:

1. INTERPRETATIVE PROVISIONS

This by-law applies notwithstanding any provision to the contrary. The Interpretive Provisions of the General By-Law apply to this By-law. Save in case of inconsistency, the provisions of the *General By-Law* (By-Law No. 1) and of the *Functions and Delegations of Powers By-Law* (By-Law No. 7) apply to complete the provisions of this By-law.

2. TERM

This by-law shall be in force for the duration of the COVID-19 public health emergency declared by Quebec Order-in-Council 177-2020 of March 13, 2020 and as renewed thereafter. The Council may, at any time, abrogate this by-law by resolution.

3. DELEGATIONS

The Council, by this by-law, delegates to the Executive Committee and to the Director General certain of its rights, powers and obligations as hereinafter specified for the term mentioned in section 2.

The rights, powers and obligations delegated by this by-law are in addition to the rights, powers and obligations delegated to the Executive Committee and the Director General by other by-laws of the Board.

4. EXECUTIVE COMMITTEE

The Executive Committee shall exercise the powers and authorities of the Council when the Council is not in session. The Council of Commissioners may at any time restrict by resolution the scope or duration of such delegation.

If both the Chairperson and the Vice-Chairperson are not able to perform their duties, elections are not possible, and it is not possible for the Council to appoint a Vice-Chairperson, the Cree Nation Government Council shall appoint a replacement for the Chairperson for the duration of the term contemplated by section 2.

5. DIRECTOR GENERAL

The spending authority of the Director General stipulated in the General By-law shall be up to the amount of two hundred thousand dollars (\$200,000) per transaction.

6. REPORTS

The Executive Committee and the Director General shall report at each regular meeting of Council all the decisions, measures and transactions carried out under this by-law.

7. NON-DELEGATION

For greater certainty, none of the rights, powers and obligations delegated by the Council under this by-law may be sub-delegated by the delegate to another person or body.

However, in the event that the Director General cannot properly exercise a specific delegated right, power or obligation, for whatever reason, such right, power or obligation may be exercised by the Deputy Director General (Operations), failing which, by the Secretary General, failing which, by the Deputy Director General (Pedagogy), failing which a senior officer appointed by the Chairperson or one of the officers in the same order.

8. COMING INTO FORCE

This by-law shall come into force on April 8, 2020 notwithstanding any provision to the contrary.